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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,483	02/28/2002	Jeffrey L. Beseth	702.161	2117
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GARMIN INTERNATIONAL, INC.			EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/086,483	Applicant(s) JEFFREY L BESETH	
	Examiner Thanh Y. Tran	Art Unit 2822	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) 22-30 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 32-37 is/are allowed.
- 6) ☒ Claim(s) 1-21 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/17/06 & 5/5/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/13/05 has been entered.

Specification

1. The use of the trademark "global positioning system (GPS)" in claim 19 has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Objections

Claim 2 is unclear as to what Applicant means by "a second mounting frame coupled between the electronic module and the first mounting frame"? (emphasis added). The Examiner does not see how the second mounting frame is coupled between the electronic module and the first mounting frame in the drawings of the invention.

Claim 19 is objected to because the reference to "global positioning system (GPS)" for claimed limitations creates an indefinite situation since trademarks are always subject to interpretation.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-9, 16-18, and 20-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Moss et al (U.S. 6,144,549).

As to claim 1, Moss et al discloses in figures 1-3 a device for mounting an instrument system to a mounting surface, comprising: an electronic module (100 or 200) coupled to the mounting surface (320); and a display unit (comprising 150/250 and 140/240) having a display screen (“flat panel display” 140 or 240) located directly in front of the electronic module (100 or 200) (figure 2 clearly discloses the screen is located directly in front of the module 200) and in communication with the electronic module, the display unit (comprising 150/250 and 140/240) having a first range of mounting locations (see hinges 270, col. 4, lines 6-20) with respect to the electronic module, wherein the display screen (“flat panel display” 140/240) remains usable and directly in front of the electronic module (100/200) throughout the first range of mounting locations (see hinges 270, col. 4, lines 6-20).

As to claim 2, as best understood by Examiner, Moss et al discloses in figures 1-3 a device for mounting an instrument system to a mounting surface, further including: a first mounting frame (112 or 212) coupled to the mounting surface (320); a second mounting frame (310) coupled between the electronic module and the first mounting frame along a second range of mounting locations with respect to the first mounting frame.

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As to claim 3, Moss et al discloses in figures 1-3 a device for mounting an instrument system to a mounting surface, further including a motherboard interface ("interface electronics") coupled between the electronic module and the display unit (see col. 3, lines 10-22).

As to claim 4, Moss et al discloses in figures 1-3 a device for mounting an instrument system to a mounting surface, wherein the mounting surface (320) includes a cockpit instrument panel.

As to claim 5, Moss et al discloses in figures 1-3 a device for mounting an instrument system to a mounting surface, wherein the display unit ("flat panel display" 140/240) includes a flat panel display screen ("FPD") (see col. 3, lines 10-22).

As to claim 6, Moss et al discloses in figures 1-3 a device for mounting an instrument system to a mounting surface, wherein the display screen (140 or 240) includes a liquid crystal display ("LCD") screen (see col. 1, lines 25-38).

As to claim 7, figure 2 of Moss et al shows the first range of mounting locations ("hinges 270) includes a vertical range of mounting locations (see col. 4, lines 6-20).

As to claim 8, Moss et al discloses in figures 1-3 a device for mounting an instrument system to a mounting surface, further including three dimensional ranges of mounting locations of the single display unit (140 or 240) with respect to the electronic module (100 or 200) (it should be noted that: since the display unit 140 or 240 has three dimensional connection with module 100 or 200, it has three dimensional ranges of mounting locations with the electronic module).

As to claim 9, figure 1 of Moss et al shows the second range of mounting locations includes a horizontal range of mounting locations.

As to claim 16, Moss et al discloses in figures 1-3 an instrument mounting system, comprising: a first mounting frame (112 or 212) adapted for mounting to a mounting surface (320); a second mounting frame (310) coupled to the first mounting frame (112 or 212) along a module range of mounting locations with respect to the first mounting frame; and a display unit (140 or 240) located directly in front of the first mounting frame (112 or 212), the single display unit (140 or 240) having a display range of mounting locations (see hinges 270, col. 4, lines 6-20) with respect to the first mounting frame.

As to claim 17, Moss et al discloses in figures 1-3 an instrument mounting system, wherein the mounting surface (320) includes a cockpit instrument panel.

As to claim 18, Moss et al discloses in figures 1-3 an instrument mounting system, further including an electronic module (100 or 200) coupled to the second mounting frame (310).

As to claim 20, Moss et al discloses in figures 1-3 an instrument mounting system, wherein the display range of mounting locations (hinges 270, col. 4, lines 6-20) includes a vertical range of mounting locations.

As to claim 21, figure 1 of Moss et shows the module range of mounting locations includes a horizontal range of mounting locations.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moss et al (U.S. 6,144,549) in view of Revis (U.S. 6,359,775).

As to claim 10, Moss et al discloses in figures 1-3 an instrument mounting system, comprising: a first mounting frame (112 or 212) adapted for mounting to a mounting surface, a plurality of electronic modules (100 or 200, and 325); a second mounting frame (310) coupled to each of the electronic modules (100 or 200, and 325) and coupled to the first mounting frame (112 or 212) along a module range of mounting locations with respect to the first mounting frame (112 or 212) (see hinges 270, col. 4, lines 6-20).

Moss et al does not disclose a display unit located directly in front of the plurality of electronic modules and in communication with the electronic modules, the display unit having a display range of mounting locations with respect to the electronic modules. Revis discloses in figure 1 a mounting system comprising a display unit (128) located directly in front of the plurality of electronic modules (166, 168) and in communication with the electronic modules, the display unit (128) having a display range of mounting locations with respect to the electronic modules. It should be noted that: display unit 128 is connected to internal components (166, 168) of the computer by a flexible cable, thus the display unit 128 is in communication with electronic module ("internal components"). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system of Moss et al by using a display unit located directly in front of the plurality of electronic modules of the system as taught by Revis. One of ordinary skill in the art would have been motivated because using a display unit located directly in front of the plurality of the electronic modules could provide a cover for covering the internal components of the computer system (see col. 1, lines

51-63 in Revis), provide an easy access for the module ("drives"), the system also may be easily adjusted to facilitate viewing of the display unit ("flat panel display device") (see col. 4, lines 25-36 in Revis).

As to claim 11, Moss et al discloses in figures 1-3 an instrument mounting system, wherein a front face of each electronic module (100 or 200, and 325) includes a long axis and a short axis, and wherein each electronic module is coupled to the second frame (310) with the long axis oriented vertically.

As to claim 12, Moss et al discloses in figures 1-3 an instrument mounting system, wherein the mounting surface (320) includes a cockpit instrument panel.

As to claim 13, Moss et al discloses in figures 1-3 an instrument mounting system, wherein the display range of mounting locations includes a vertical range of mounting locations (see hinges 270, col. 4, lines 6-20).

As to claim 14, Moss et al discloses in figures 1-3 an instrument mounting system, wherein the plurality of electronic modules (100 or 200, and 325) are coupled behind the mounting surface (320).

As to claim 15, figure 1 of Moss et al shows the module range of mounting locations includes a horizontal range of mounting locations.

6. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moss et al (U.S. 6,144,549).

As to claim 19, Moss et al does not disclose the electronic module includes circuits for a global positioning system (GPS). However, it would have been obvious to a person having

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ordinary skill in the art at the time the invention was made to modify the system of Moss by using a module including circuits for a global positioning system (GPS) for providing electrical functions as an intended use, since it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. Ex parte Masham, 2 USPQ 2d 1647 (1987).

Response to Arguments

7. Applicant's arguments with respect to claims 1 and 6 have been considered but are moot in view of the new ground(s) of rejection.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Y. Tran whose telephone number is (571) 272-2110. The examiner can normally be reached on M-F (9-6:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amir Zarabian can be reached on (571) 272-1852. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TYT


Zandra V. Smith
Supervisory Patent Examiner
23 July 2008